IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE ANTONY DOMINIC

SATURDAY, THE 1ST DECEMBER 2007 / 10TH AGRAHAYANA 1929

WP(C).No. 35584 of 2007(J)

PETITIONER:

DIVAKARAN NAIR, S/O.GOVINDAN NAIR,
AGED 50 YEARS, MANAGING PARTNER,
SANDHYA TOURIST COMPLEX, CHANGANACHERRY.

BY ADV. SRI.JOHNSON MANAYANI
SRI.BENHUR JOSEPH MANAYANI

RESPONDENTS:

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1. DEPUTY TAHSILDAR (RR) CHANGANACHERRY.

2. COMMERCIAL TAX OFFICER, (IST CIRCLE),
CHANGANACHERRY.

3. STATE OF KERALA,
REP. BY ITS REVENUE SECRETARY,
SECRETARIAT, TRIVANDRUM.

BY GOVERNMENT PLEADER SRI. TEK CHAND

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 01/12/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

ANTONY DOMINIC, J

W.P.(C).35584/2007

Dated this the 1st day of December, 2007

JUDGMENT

The complaint pleaded in this writ petition is that though the department had in Ext.P2 clarified that the amount due from the petitioner was only Rs.1,71,131/-, Revenue Recovery authorities are proceeding to recover Rs.4,98,441/-. However, the learned counsel for the petitioner submits that subsequent to the filing of this writ petition, Revenue Recovery authorities have issued a fresh notice for Rs.1,71,131/-. Counsel also submits that in view of the financial constraints of the petitioner, he be allowed to pay the amount in instalments.

2. I heard the learned Government Pleader also in the matter.

3. Taking into account the submissions that are made by both sides, I dispose of this writ petition directing that the petitioner shall pay the amount due in two equal instalments. The first instalment will be payable on 20th

December, 2007 and second instalment on 20th of January, 2008. Subject to payment as above, the revenue recovery proceedings initiated against the petitioner shall be deferred.

ANTONY DOMINIC
Judge

mrcs